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Federal Agencies

June 15, 2005

FW 161 16461 \$
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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 09/042,583; Filed: March 17, 1998
For: **Death Domain Containing Receptor 5**
Inventors: Ni *et al.*
Our Ref: 1488.1310002/EKS/EJH

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of **\$180.00** to cover the IDS fee;
2. Ninth Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(c);
3. Form PTO-1449 (2 sheets) listing 3 cited documents (**AT27, AR28 and AS28**);
4. A copy of the 3 cited documents (**AT27, AR28 and AS28**); and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
June 15, 2005
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

EKS/EJH:kim
Enclosures
409227_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ni *et al.*

Appl. No.: 09/042,583

Filed: March 17, 1998

For: **Death Domain Containing
Receptor 5**

Confirmation No.: 5224

Art Unit: 1646

Examiner: Kaufman, C.

Atty. Docket: 1488.1310002/EKS/EJH

**Ninth Supplemental Information Disclosure Statement
under 37 C.F.R. § 1.97(c)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Ninth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Eighth Supplemental Information Disclosure Statement filed on November 8, 2004 in connection with the above-captioned application. Copies of documents AT27 to AS28 are submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

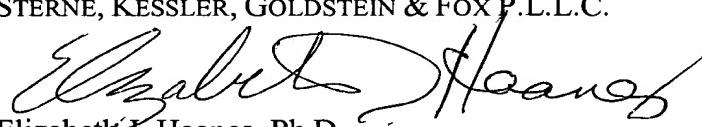
This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


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Attorney for Applicants
Registration No. 42,613

Date: June 15, 2005

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FORM PTO-1449

NINTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1488.1310002/EKS/EJHAPPLICATION NO.
09/042,583FIRST NAMED INVENTOR
Ni et al.FILING DATE
March 17, 1998ART UNIT
1646**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA						
AB						
AC		JUN 15 2005				
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL						Yes No
AM						Yes No
AN						Yes No
AO						Yes No
AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

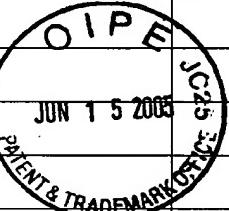
AR			
AS			
AT	27	Australian Opposition Document, EVIDENCE IN SUPPORT: Statutory Declaration of Andreas Strasser dated 7 April 2005 together with Exhibits AS-10 to AS-23, submitted by Genentech, Inc. in the Opposition to Australian Patent Application 747635 (67635/98), 467 pages (April 7, 2005)	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 NINTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 1488.1310002/EKS/EJH	APPLICATION NO. 09/042,583
		FIRST NAMED INVENTOR Ni et al.	
		FILING DATE March 17, 1998	ART UNIT 1646

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA		JUN 15 2005				
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR	28	Australian Opposition Document, EVIDENCE IN SUPPORT: Statutory Declaration of David Vaux dated 12 April 2005 together with Exhibits DLV-8 to DLV-20, submitted by Genentech, Inc. in the Opposition to Australian Patent Application 747635 (67635/98), 412 pages (April 12, 2005)				
	AS	28	Australian Opposition Document, EVIDENCE IN SUPPORT: Statutory Declaration of Simon Tout dated 14 April 2005 together with Exhibits SDT-1 to SDT-3, submitted by Genentech, Inc. in the Opposition to Australian Patent Application 747635 (67635/98), 328 pages (April 14, 2005)				
	AT						

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	